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Wells Fargo Bank, N.A.

**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA, SAN DIEGO DIVISION**

In re

Isela Corral Cowen,

Debtor.

Case No. 16-07446

Chapter 11

**JOINDER OF CREDITOR WELLS  
FARGO BANK N.A. IN ACTING UNITED  
STATES TRUSTEE'S MOTION TO  
DISMISS OR CONVERT CASE  
PURSUANT TO 11 U.S.C. § 1112(b)**

**TO THE HONORABLE LOUISE DECARL ADLER, UNITED STATES BANKRUPTCY  
COURT JUDGE, THE DEBTOR AND DEBTOR-IN-POSSESSION, COUNSEL FOR  
DEBTOR-IN-POSSESSION, AND OTHER INTERESTED PARTIES:**

Wells Fargo Bank, N.A. ("WFB") hereby joins in the Acting United States Trustee's (the  
"UST") Motion to Dismiss or Convert Case Pursuant to 11 U.S.C. § 1112(b) (the "Motion") (Docket  
No. 138). WFB's joinder is based upon the UST's Motion.

**I. INTRODUCTION**

WFB is the secured creditor through its interest as the first lienholder with respect to the real  
property commonly described as 1236 Summit Avenue, Cardiff by the Sea, CA 92007 ("Summit  
Property"). Per WFB's proof of claim, WFB has a secured claim of \$1,025,543.48 as of the date of the

1 petition. Since the outset of the case, WFB, through counsel, has reached out to the Debtor's counsel of  
2 record to determine the Debtor's reorganizational goals and to see if a consensual agreement could be  
3 reached. Initially, the Debtor said she would rent the Summit Property. Next, Debtor said she would  
4 sell the Summit Property to pay off WFB. Sometime thereafter, Debtor stated an intention to reinstate  
5 WFB's loan and WFB provided an offer to allow time to take steps to potentially reinstate WFB's loan,  
6 with respect to which no decision was made by Debtor. It appears Debtor now requests a structured  
7 dismissal.

8 WFB joins in the UST's Motion for the reasons set forth in the UST's Motion because the  
9 Debtor "remains noncompliant with her duties and obligations as a chapter 11 debtor." (UST's Motion,  
10 pg. 6).

## 11 **II. JOINDER ON CONVERSION OR DISMISSAL**

12 WFB's joinder is based upon the UST's Motion and requests that the Court either convert or  
13 dismiss the case; as to which avenue WFB submits to the Court's judgment. In the event a structured  
14 dismissal is ordered, WFB would request that the structured dismissal be without prejudice to its rights  
15 under 11 U.S.C. § 362 and confirmation that its rights are not being modified.

16 DATED: August 7, 2017

Respectfully Submitted,

BUCKLEY MADOLE, P.C.

19 By: /s/ Dane W. Exnowski

20 DANE W. EXNOWSKI

21 Attorney for Wells Fargo Bank, N.A.  
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